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THE PRESIDENT'S OPPORTUNITY

A Successful Issue of Eastern Trouble Would Win Votes.

MAY TAKE A SLICE OF CHINA.

This Country May Thus Indemnify Itself—The Monroe Doctrine in South America—The Views of Thomas B. Reed.

WASHINGTON, June 29.—A prominent independent newspaper published in the East maintains that in the Oriental situation President McKinley's friends think he has an exceptionally fine opportunity to prove to the people of this country the Republican theory that "trade follows the flag." Democratic politicians seem to be of the opinion that the President and those who desire his reelection next November, will make the Eastern war count greatly in the interests of the Republicans in the coming national campaign. The people of the United States commercially and otherwise are watching the development with any amount of interest, and leaving the commercial question out of the controversy, the safety of American citizens in that country whose lives and property are in danger there and other considerations, an administration supporter well knows too important to the trust in the background.

Territorial acquisition, commercial growth and political success are expected to follow in the wake of the success of the far East. Most important of these for the administration is the effect which the complications in the East may have on the coming election. Patriotic Americans are expected to rally to the support of the administration which has on its hand the solution of such a difficult problem as that now presented. Especially will this be true if the outcome is successful and Minister Conger, his associates, the missionaries and others are rescued without loss of life. Such an achievement will be worth a political reward so believes the administration.

MORE TERRITORY. Then will follow the punishment of China for injury to American property and injury to American interests. Indemnity means, in this instance, territory, for China has not the necessary funds or credit to pay cash indemnity. Ready money will be scarce with the Chinese Government when her territory is parcelled out among the nations. So the United States doubtless hold a slice of it as we hold the Philippines. In order to indemnify ourselves and others for their sufferings and losses.

Fortunately we are on the ground with more troops than any other nation, except Japan and Russia. It is the earnest wish of the Administration that attention may be directed from the Philippines and the struggle there by the trouble in China. Nothing could mark the entrance of America as a "world power" better than the appearance of a "regular army," on the soil of a friendly Power. Who foresaw four years ago this summer that when the new campaign was inaugurated the warships and armies of the young giant of the Orient would have circled half the globe, and that, having acquired the then comparatively unknown Philippines, she would be placing a heavy hand on China? So the Monroe doctrine applies to South America only and to the rest of the world to acquire in any part of the globe and deny it to the other nations.

Orators presenting the Republican side of the question to political audiences will doubtless find a fruitful theme in Oriental difficulties. Military success in those quarters is calculated to inflame the mind of voters, and even if no success should follow our arms, the imminent danger of attacking our quarters will induce Americans to all assistance possible to the Government, and it is expected to go a long way toward continuing the present Administration in power.

AN IMMEDIATE ABILITY. For this reason an extra session of Congress is an improbability, unless an extra call for troops is necessary, requiring additional expenditures unprovided for by the law. The President's army in China can be met by the War Department out of current funds as long as these troops can be drawn from Manila, but to maintain an army there on an on-going basis would necessitate a congressional action. This the President hopes to avoid, as he does not care to divide the glory with Congress, nor does he wish to incommode members of Congress, who, as a last resort, do not wish to be summoned to Washington this summer.

While difficulty may be experienced by the novice in realizing that the landing of troops on a foreign soil, the invasion of its capital, rights, skirmishes and, and the conditions of war in China, and in such an event the enlisted men will receive the 20 per cent. increase, while the officers will receive an additional compensation.

REED'S SACRIFICE. There is considerable comment among Republican leaders in this city regarding the attitude assumed by ex-Speaker Thomas B. Reed, who has been a resident of New York City, toward the McKinley and Roosevelt ticket and the platform adopted at the Philadelphia Convention. It is stated that not only has Mr. Reed abstained from expressing approval of the

convention's action, but reports have gained currency that his caustic criticisms of it in conversation with his friends have had the effect of turning against the ticket at many points where otherwise have been enthusiastic in its support.

In one instance, at least, a man who gave \$1000 to the Republican campaign four years ago, has told his friends that he will give nothing this year, attributing his change of heart to Mr. Reed's influence.

When these reports were brought to Mr. Reed's attention he declined to make any comment upon them except to say that no person had the right to attribute to him any opinions upon political questions which had not received the definite sanction of his authority. That Mr. Reed is more in sympathy now with the McKinley ticket than he was during his last term as Speaker is common gossip in the financial district, where he has an office.

INCREASED PAY. The Postoffice Department has notified the postmasters that by an order of the Postmaster-General, which takes effect from the commencement of the new fiscal year, July 1st, 1900, all carriers in the rural free delivery system will have their pay increased from the rate of \$100 per annum, including horse hire, will, from and after that date, be paid at the rate of \$100 per annum, including horse hire. Carriers who have heretofore received less compensation than \$100 per annum will receive an increase of pay, like proportion, namely, 25 per cent, from the date above named. It is further ordered that from and after July 1st, 1900, rural carriers shall make their deliveries and collections either in person or by a bonded substitute, on every day of the year, Sundays alone excepted.

The Baltimore and Ohio Railroad has established electric automobile service here in connection with its train service, being the first railroad to introduce this mode of transportation regularly to and from its railroad station. The automobiles are of the latest electric pattern, and are run by a gasoline engine, and are provided with luxuriously deep cushioned seats, electric lights and time pieces. Two small trunks can be carried on the supports at the rear of the vehicle, and the top of the cab provides ample room for small traveling-bags and hand luggage. The splendid streets of Washington are particularly favorable for this high-class transportation and the vehicles can in safety reach a speed of from ten to fourteen miles an hour on any of the streets, excepting the business portion.

It has been arranged that when special service is desired, passengers on trains approaching Washington from the East will be notified by conductor before arrival at Baltimore, and on trains from the West will be notified by conductor before arrival at Washington junction. The rates of this extraordinary service are extremely reasonable, and the Baltimore and Ohio Railroad, with its advanced ideas and methods, is to be congratulated in being the first to inaugurate regularly this latest invention in transportation service.

United States Consul, Wm. Schuman, Madrid, says that a sample-room of German wares is about to be opened in Constantinople. The selling terms vary according to the articles. Metals, such as copper, lead, zinc, iron, steel, etc., are sold for cash, whereas six months' time must be granted on sales of textile goods. In the trade with Constantinople this plays an important role, in view of the fact that the merchants there sell their goods in the interior of Asia Minor on credits of ten or even twelve months, and consequently cannot pay cash in buying.

The following are among the articles for which there is a good market in Constantinople: Silks, velvets, silk, woolen, linen, muslin, umbrella covering (silk and cotton) cloth, hosiery and underwear, merinos and coatings, calicoes, flannels, shawls, upholstery goods, needles and pins, thread and twine, straw hats and straw bags, tinware, cheap knives, lamps, drugs, machinery and mineral oil. Prices are of prime importance. If an article is expensive it cannot be sold in the Orient.

REDUCED RATES. Account Fourth of July, R. F. & P. R. R.

On July 1st, 2d, 3d and 4th the Richmond, Fredericksburg and Potomac Railroad Company will sell round-trip tickets to all points on its line and to Alexandria and Washington at reduced rates. Tickets good going only on date of sale and for continuous passage in each direction, limited until July 7th. Inclusive Round-trip rates from Richmond to Fredericksburg, \$2.00; Alexandria, \$1.50; Washington, \$1.50. On sale at Ticket Office, Byrd-Street Station, or offices of Richmond Transfer Company, No. 93 East Main Street, and Jefferson Hotel.

FREE STREET FAIR AND CARNIVAL.

Roanoke, Va., July 2d to 7th—Reduced Rates via N. & W. Railway.

For the above occasion the Norfolk and Western Railway will sell round-trip tickets from Richmond to Roanoke at \$1.10, good for return passage until July 9th. Ticket offices, 835 and 903 East Main Street and Byrd-Street Station.

SPECIAL EXCURSIONS.

To New Jersey Seashore Resorts via R. F. & P. R. R.

On July 5th and 15th, August 2d and 10th, the Richmond, Fredericksburg and Potomac Railroad will sell special excursion tickets, limited to seventeen days, including date of sale, to Atlantic City, Cape May, Sea Isle City, Ocean City, Avalon, Anlessea, Wildwood and Holly Beach, N. J., at \$8.50 round trip. Good on all regular trains leaving Richmond on these dates, as shown in schedule in other column.

Tickets on sale at Byrd-Street Station, Richmond Transfer Company, No. 93 East Main Street, and Jefferson Hotel. W. P. TAYLOR, Traffic Manager.

Miller & Rhoads' Store will be closed all day Wednesday, July 4th.

BIG REDUCTION IN RATES.

On Norfolk and Western Railway, Account of Fourth of July.

Tickets on sale July 2d, 3d and 4th, good for return passage until July 9th. Inclusive Round-trip rates from Richmond to Norfolk, \$3.50; Virginia Beach and return, \$3.75; and other points in proportion. Offices: Nos. 835 and 903 East Main Street, and Byrd-Street Station.

To the Ladies of Richmond: J. Schireff, "Ladies' Tailor," of No. 415 East Grace Street, will leave next week for the North to be gone two months, in order to study the latest fashions in tailor suits. He will bring back a full line of the newest samples and up-to-date fashions, opening in September. Yours truly, J. SCHIREFF.

DECISIONS OF SUPREME COURT

A Nolle Prosequi Not a Final Determination of Question. DOES NOT SHOW ACQUITTAL.

Where the Reason for the Rule of Law Has Ceased the Law Itself Ought to and Does Cease—The Open Question Directly Decided.

The following were among the important opinions handed down by the Supreme Court of Appeals of Virginia at Wytheville last Thursday:

Kelly vs. Hamblin. Opinion by James Keith, P. J. The Circuit Court of Lee County, reversed.

Certain creditors of J. J. Kelly, Sr., instituted a suit in chancery in the Circuit Court of Lee County to subject the lands to the payment of their debts. Kelly, Sr., set aside certain conveyances alleged to have been made with the intent to hinder, delay and defraud his creditors. Decree was rendered by that court holding the said conveyances void and avoiding the same. Upon appeal to this court in the case of Coddron vs. Asheville Shoe Company, the said decree was reversed and the conveyances sustained. Afterwards two judgment creditors of J. J. Kelly, Sr., who had docketed their judgments in Wise County, instituted a similar suit to subject a tract in Wise County and to avoid a conveyance of it made by Kelly, upon the ground of fraud. This suit was subsequently compromised by Kelly's alleged paying thirty-three and one-third per cent. of the judgments. Afterwards the same judgment creditors or their assigns instituted another suit in Wise County to subject yet another tract of land which had been conveyed by J. J. Kelly, Sr., to avoid his conveyance upon the same ground.

In this third suit Kelly and his grantee filed pleas and answers setting up the former suit and the former compromise of the second suit as res adjudicata. The opinion of Judge Keith holds, that since no liability was asserted upon the tract of land in the former suit and his grantee was not before the court in that suit, it constitutes no bar to another action to subject it.

Further, that while a judgment is in some respects indivisible in that only one action of debt or scire facias can be maintained against a debtor or obligor, it is brought for its satisfaction and to enforce its lien. The protection, says the opinion, which the judgment debtor has against vexatious and useless suits is the proper imposition of costs by the court. Therefore the Circuit Court of Wise County did not err in sustaining the demurrer to the plea of res judicata.

As a matter of chancery practice, the opinion expresses grave doubt whether a demurrer applies to an answer or plea in a chancery cause, and says that it would seem that it can only be interposed to a bill, but this question is expressly reserved for future consideration.

The answers, however, set up the compromise of the second suit, and claim that had it not been compromised the land upon which the judgments were liens were ample in value to satisfy the same. This, the court says, was good defense, for a judgment creditor cannot release land which is first liable to his debt and then proceed against land which would not be liable if it were enforced against the first tract.

The Circuit Court of Wise County erred in sustaining an exception for insufficiency filed to the answers. Sands vs. Durham, Circuit Court of Giles County, reversed. Judge R. M. Cardwell delivered the opinion in this case, which was in contest between one partner who had paid partnership debts, which had been reduced to judgment and duly docketed, out of his own individual funds, and was seeking to subrogate to the other partner's debt, which the other partner had conveyed to a third person.

In a clear and strong opinion the Judge reviews the authorities upon the doctrine of subrogation, and holds that it does not apply where the parties are equally bound, but only where one is primarily and the other secondarily bound. Therefore, the right of subrogation does not exist as between copartners, unless by special agreement they have assumed the relation of principal and surety. This result is not altered by the statute whereby partnership debts are made joint and several, and the Virginia cases upon this subject are carefully examined and distinguished. The conclusion is that in this case there was no agreement or other circumstance whereby the partners stood in the relation of principal and surety, and that the partner who paid the debt is not entitled to be subrogated to their lien against the land of the other partner, and certainly not when conveyed to an innocent third party.

Ward vs. Reason. From the Circuit Court of Lee County affirmed.

Ward was prosecuted before a justice of the peace of Lee County upon a warrant for stealing hogs, sworn out by Reason. The Justice dismissed the warrant, and discharged him from custody without hearing any evidence or having a trial of the case. Thereupon, Ward instituted an action for malicious prosecution against Reason, who demurred to his declaration upon the ground that it did not allege a final judgment in favor of the plaintiff. The declaration, delivered by Judge Cardwell, holds that, while the authorities of other States differ upon the question, in Virginia a nolle prosequi is not a final determination of a prosecution, but a mere abandonment, and does not show the acquittal of the accused, and is no evidence of a want of probable cause, whereby an action for malicious prosecution can be maintained. The demurrer to the Justice in this case was equivalent to a nolle prosequi, since he dismissed the warrant without hearing any evidence, and the demurrer to the declaration was properly sustained by the Circuit Court of Lee County.

Kelly vs. Leigh Manufacturing Company. Circuit Court of Wise County, reversed. Opinion by Buchanan, J.

Judge Buchanan delivered the opinion in this case, which was suit by a justice of the peace to deliver up title papers by his grantor. The opinion holds that it is an old and well-settled head of equity jurisdiction to decree the specific delivery of title papers to persons entitled to them where the grantor wrongfully withheld or detained from them, and that, while Chapter XXXVIII of the Code makes more effective the common law remedy of detinue, it does not affect this equity jurisdiction, for where courts of equity have once acquired jurisdiction the jurisdiction of the common-law courts over the same subject does not deprive the equity jurisdiction of its force, although the statute may furnish a complete and adequate remedy at law, unless the statute conferring such jurisdiction uses restrictive or prohibitory words. Proceeding on this principle, the court holds, that the opinion holds that it is an established principle of the common law in England that the party entitled to land had also a right to all title deeds affecting it, and that they passed with the land by the conveyance without being named in it, but that no such rule exists in this State, since our registry laws have obliterated its necessity; and it is a general practice for the grantor to retain his own title papers instead of delivering them to his grantee.

Where the reason for the rule of law has ceased the law itself ought to, and does, cease. The bill, however, claims that by agreement between the parties

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Sugar-Cured Hams, 8c.

3 lbs Evapated Peaches...25c Oatflakes...7c package Ammonia...5c bot Lemon Cakes...5c lb 5-lb bag Table Salt...5c Qt. Mason Jar Mustard...10c Lunch Tongue...25c Best Ham...85c Shoe Polish...5c 10 cakes Octagon-Shaped Soap...25c Best City Meal...15c pk or 60c bu

Best Dunlop Pat Fam. Flour...\$4.75 bbl or 30c sack Large package Gold Dust...5c Best Cream Cheese, 2 lbs for...25c Best Va. Claret Wine...15c qt or 50c gallon. Potted Ham and Tongue...40c Lion Coffee...11c lb Mixed Cakes...7c lb Good Ground Coffee...10c lb Good Brooms...10c

Good Green Tea, 25c lb.

Fine Soda Crackers...5c lb Baker's Cocoa...10c package Canned Tomatoes...5c Chipped Beef...12c can

1 pounds Fresh Country Butter, 25c.

Salt Pork...6 1-2c lb Pure Lard...7 1-2c lb New Cut Herrings...8c doz

The Best 50c Tea For 40c lb.

New Boneless Codfish...5c lb Good Green Coffee...10c Pure Cider Vinegar...20c gal

Arbuckle's Coffee...12c lb Root Beer...5c bot Fine Java Coffee...12 1-2c lb

The Best Flour in the world, \$4.50 Silver King Patent Family, BARREL or 29c SACK.

Snowflake Flour, 27c bag Pillsbury or Gold Medal Flour, \$5 barrel...or 32c bag Best Carolina Rice...6c lb

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the plaintiff was entitled to the title deed, and the answer of the defendant denied this agreement. The opinion holds that the Circuit Court of Wise County erred in sustaining an exception to this answer on the ground of insufficiency, and that the cause must be remanded for further proceedings upon that point.

Fry vs. Stowers. Circuit Court of Bland County, Opinion by Judge Harrison, Reversed.

In this case what has long been known as "the open question" in ejectment law was directly decided, and the court held that where a senior patentee settles upon any portion of his land claiming title to the whole, whether inside or outside of the senior patent, before the junior patentee has settled upon any part of the interlock, the senior patentee is in possession to the extent of his grant and a subsequent entry of the junior patentee upon the interlock ousts the senior patentee to the extent of the land actually in the occupancy of the junior patentee by residence, improvement, cultivation or other open, notorious and habitual acts of ownership.

The opinion further holds that where a new tract is asked for, since these motions are addressed to the judicial discretion of the court, it may impose terms upon the party in whose favor the verdict was given, and that an action of ejectment is no exception to this principle. In this particular the opinion disapproves the rule announced in Shiffert vs. Powell, 40 Va. 74, which held that an action of ejectment is a remedy with directions to set the verdict aside and grant a new trial unless the plaintiff will release on the record by proper description that portion of the land to which the defendant is entitled.

Virginia & Tennessee Coal and Iron Co. vs. McClelland. From the Circuit Court of Wise County. Affirmed. Opinion by Harrison, J.

M. L. McClelland, a householder and a married man and head of a family, claiming the benefit of the homestead exemption by filing and recording his deed. He afterwards conveyed the land which he had so set apart to the grantor of the appellant company, and the deed was duly recorded. Subsequently he and his wife filed a bill in the Circuit Court of Wise County asking to have the said deed set aside upon the ground that it was void under section 2227 of the Code, which provides that "the real estate set apart as a homestead shall not be mortgaged, encumbered or aliened by the householder, if a married man, except by the joint deed of himself and wife. Appellate courts have held that this statute was unconstitutional, because contrary to the express language of the Constitution and contrary to the intent of its framers, the argument being that the statute puts a check upon the free alienation of the homestead and thereby impairs the benefits intended to be secured by the Constitution.

The opinion clearly shows that the statute was fully within the broad power given to the Legislature by the Constitution with reference to homestead exemption and constitutes no impairment of the homesteaders' rights; nor is it contrary to the intention of the framers of the Constitution as carried into section 2247 of the Code, which permits a householder, though married, to waive the benefit of his exemption by his sole act, since there is a difference between waiving the exemption as a source of credit and an absolute alienation of the property. The statute does not expressly invalidate conveyances made by the husband alone, it is held to have that effect, since any other construction would render it nugatory, and the Constitution provides that its provisions shall be construed liberally to the end that all the intents thereof may be perfectly and fully carried out.

THE GREENBRIER WHITE.

The People are Rapidly Gathering at the Fine Old Resort.

WHITE SULPHUR SPRINGS, VA. June 25.—Special—Plenty of amusement and a relative to homestead exemptions that make things go as merrily as a marriage bell" at the White Sulphur. Indeed, the simile is an appropriate one, as "marriage bells" are suggested to one here at present on every hand by the

USE ROB ROY BAKING POWDER 18 oz. Can Retail for 10c. 8 oz. Can Retail for 5c. GUARANTEED ABSOLUTELY PURE. MANUFACTURED BY J. D. & R. S. CHRISTIANCO. RICHMOND, VIRGINIA.

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